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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/680,631 | 10/07/2003 | Gopalakrishna B. Prabhu | 3522P01/CMP/CMP/RKK | 5080 |

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| EXAMINER |
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ELEY, TIMOTHY V

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| ART UNIT | PAPER NUMBER |
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3724

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,631

Applicant(s)

PRABHU ET AL.

Examiner

Timothy V. Eley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 3-7, 11-15 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8-10, 16, 17 and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/13/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37

CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

- The textured upper surface recited in claims 8 and 9 does not appear to be mentioned in the specification.

Claim Objections

2. Claims 9 and 20 are objected to because of the following informalities:

- "textured"(claim 9, line 1) and "area"(claim 20, line 4) are both misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 8 and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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- Applicant recites in claims 8 and 9 that the upper surface of the body is textured. However, this feature does not appear to be discussed in the specification. Applicant recites in claim 9 that the texture(d) upper surface further comprises a plurality of grooves. From this recitation, it is not readily apparent as to whether the grooves produce the textured surface, or if the surface is textured and also includes the grooves

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1,19, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Marmillion et al(5,934,977).

- Marmillion et al disclose a platen for supporting polishing material in a chemical mechanical polishing system, comprising a body/platen(14) for supporting a polishing material(12) during

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processing; a substantially rigid non-planar upper support surface defining an upper surface of the body for supporting the polishing material, and a polishing head(25). See figure 1, column 4, lines 32-60, and column 5, lines 12-14.

- Regarding claim 21, a distance between the upper support surface and a plane defined by a lower surface of the polishing head is not uniform.

7. Claims 1,8,9,10,16, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasick(2,819,568).

- Kasick discloses a platen(3) for supporting polishing material in a chemical mechanical polishing system, comprising a body(3) adapted to support a polishing material(12) during processing; and a substantially rigid non-planar upper support surface defining an upper surface of the body for supporting the polishing material. See figures 1 and 2, and column 2, lines 52-54.
- Regarding claims 8,9,16, and 17, the recesses/grooves 16 formed in the upper surface of the body provide a "textured" surface as broadly recited by applicant. See column 3, lines 34-42.

8. Claims 1,2,8,10,19,20, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirose et al(5,888,126).

- Hirose et al disclose a platen(1) for supporting polishing material in a chemical mechanical polishing system, comprising a body/platen(14) for supporting a polishing material(12) during

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processing; a substantially rigid non-planar upper support surface defining an upper surface of the body for supporting the polishing material, and a polishing head(3). See figures 1 and 2a, and column 6, lines 20-38.

- Regarding claims 2,8,10, and 20 the raised portions 1a produce a recessed area defined thereby.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

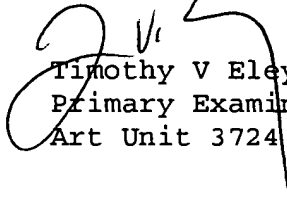
- The cited prior art discloses platens for supporting polishing material, wherein the platens have non-planar uppers surfaces.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V. Eley whose telephone number is 571-272-4506. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Timothy V Eley
Primary Examiner
Art Unit 3724

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